

Heavy Duty Trucking and Aircraft Sectors

ISSUE SUMMARY:

The Clean Air Act (CAA) provides authority and the obligation for the EPA to establish emissions standards for the transportation sector. There are a number of upcoming regulatory activities and major decisions in the on-highway heavy-duty sector (commercial trucks and buses) and aircraft areas.

UPCOMING MILESTONES:

- **January/February 2021**—Expect to sign and publish final aircraft greenhouse gas (GHG) standards in compliance with international treaty obligations (See below).
- **Early 2021**—Decisions and guidance will be required for a major on-highway heavy-duty sector proposed regulation known as the Cleaner Trucks Initiative (CTI). Expect to sign and publish the Notice of Proposed Rulemaking (NPRM) in early 2021.

BACKGROUND:

- **Aircraft.** EPA has participated in the development of the recently-adopted aircraft GHG standards by the International Civil Aviation Organization (ICAO), issued the EPA Endangerment Finding for aircraft GHG emissions, and is now required by international treaty and the CAA to issue regulations to establish GHG standards for aircraft. EPA issued the NPRM to establish aircraft GHG standards in August 2020. EPA has worked closely with the Federal Aviation Administration (FAA) and industry throughout the rule development process and is looking to issue the final rule in early 2021.
- **Heavy Duty Vehicles.** The EPA Administrator announced in November 2018 that EPA would pursue the Cleaner Trucks Initiative (CTI) to update oxides of nitrogen (NO_x) emissions standards for heavy-duty trucks. On January 6, 2020, the Administrator signed an Advance Notice of Proposed Rule (ANPR) soliciting pre-proposal comments on the CTI and the Agency plans to publish the NPRM in early 2021.
 - Heavy-duty vehicles are the largest contributor to mobile source emissions of NO_x and will be one of the largest mobile source contributors to ozone in the 2025 and later time frame. The CAA provides the Administrator the authority to establish standards for heavy-duty vehicles and to revise such standards “from time to time.” EPA last revised NO_x standards for on-highway heavy-duty trucks and engines in 2001.
 - The CTI will update our regulations to ensure that emissions reductions occur in the real world in all types of truck operations. Notably, this rulemaking offers opportunities to reduce ambient particulate matter and ozone across the country by reducing NO_x pollution from heavy-duty trucks. EPA is also exploring ways to develop a smart program design that leverages modern and advanced technologies, while streamlining existing requirements.

KEY EXTERNAL STAKEHOLDERS:

☒ Congress ☒ Industry ☒ States ☒ Tribes ☒ Media ☒ Other Federal Agencies: DOT
☒ NGO ☒ Local Government ☐ Other (name of stakeholder): _____

From different perspectives, all of these stakeholders are interested in EPA's transportation regulations and programs, which affect essentially all new vehicles in the coming years, including issues of technological feasibility, air quality, societal benefits, and costs. Industry has been engaged throughout the rule development process for both Aircraft GHG and CTI. As evident from public comment received, industry is supportive of both rulemakings and encourages the Agency to move forward with both rulemakings.

In comments submitted for CTI, many state and local governments expressed concern about the impacts on air quality from heavy-duty vehicles for which they rely upon the EPA to establish emission standards. Also for CTI, environmental NGO comments encouraged EPA to pursue stringent standards for NOx emissions as well as promoting low carbon technologies. For aircraft, environmental NGO comments recommend EPA establish more stringent standards and that EPA establish standards for the in-use fleet of airplanes.

MOVING FORWARD:

- EPA will continue to implement the existing heavy-duty emissions regulation programs through the vehicle and engine certification process, the SmartWay program, and ongoing assessment of overall compliance with the standards, while developing cleaner standards and modernized regulations through the CTI.
- Once EPA's Aircraft GHG rule is finalized, FAA will move forward with an implementing regulation as required by statute.

LEAD OFFICE/REGION: OAR

OTHER KEY OFFICES/REGIONS: OGC, OECA